

SECRET

22 February 1980

MEMORANDUM FOR THE RECORD

Staff Meeting Minutes of 22 February 1980

[ ] The Director was not in attendance; Mr. Carlucci chaired the meeting.

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McMahon reported briefly on the following:

--Twenty Soviet planners arrived in Afghanistan on 18 February to revise Soviet military planning strategy in that country from its current offensive mode to a more defensive posture.

--A Buenos Aires magazine has published an article on Hamilton Jordan's activities re U.S. negotiations with Iran. Mr. Carlucci asked [ ] to convey the cable report to Jordan's White House office.

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--The PDRY has shifted focus from its terrorist activities to increased political action, e.g., infiltration of the YAR via "front" organizations.

--Vietnamese are reportedly using toxic artillery shells in the Thai border area.

--A cable from U.S. Ambassador West in Jidda urging the White House to be responsive to a request from Saudi Arabia for U.S. arms including helicopters and tanks.

--McMahon called attention to two problems we are having with State re crises: First, he said we cannot go along with the dictates of State's policy of reducing official U.S. presence which include CIA personnel [ ] Mr. Carlucci agreed and said if necessary he would raise this matter at the NFIB; he asked McMahon to provide him with a compilation of appropriate data. Second, McMahon said CIA should not be included in State's recent instructions which proscribe social contact with Soviet personnel. Mr. Carlucci asked McMahon to provide him with the specifics of State's instructions and that he would raise at a PIWG meeting. (Action: DDO)

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--Stockwell recently spent a couple days with Philip Agee in West Germany. McMahon noted the Cubans have translated Stockwell's book into Spanish and suggested a publisher, but did not provide funding for publication. [ ]

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Clarke commented briefly on increasing unrest in Kabul, noting there are about 80 Americans in that city, mainly travelers and business people (no CIA dependents). McMahon added the Soviets have increased their patrol of streets and rooftops. He said the Afghanistan Ministry of Foreign Affairs phoned the U.S. Embassy advising that sightseers should be removed from the Embassy roof. [ ] 25X1

Fitzwater reported an estimated [ ] personnel are retiring this month, raising the total from early December to [ ]. Relatedly, Mr. Carlucci called attention to a recent memo from OPM Director Campbell re the rehiring of Federal retirees. A brief discussion followed on implementing the OPM memo. Mr. Carlucci asked Fitzwater to meet with him to review the matter in detail. [ ] 25X1

Hetu noted Senator Moynihan's appearance this morning on the NBC television "Today" show re Charters Legislation. A discussion followed on how best to deal with misinformation conveyed in George Lardner, Jr.'s column in today's Washington Post (attached) re the Director's testimony yesterday at the SSCI, mainly on the issues of "prior notification" and "full disclosure." [ ] briefly described specifics of the Director's testimony on this matter. Mr. Carlucci suggested and others agreed a letter should be forwarded from the Director to appropriate Congressional Committees to clarify the issues and for release to the public. [ ] (Action: OGC) 25X1

Clarke reported he and Stoertz met yesterday with Representative Aspin but were unable to dissuade Aspin from continued hearings re net assessments. Clarke also commented briefly on CBS reporting of a book transcript by two Israeli authors which alleges the so-called "22 September nuclear event" was a joint venture by Israel and the Government of South Africa. Mr. Carlucci said he had been queried on this by Marvin Kalb of CBS and responded that he knew nothing about it. [ ] 25X1

[ ] briefly reviewed the schedule for three Congressional hearings next week involving the Director, and noted Mr. Carlucci is scheduled to appear at an SSCI panel session on 28 February as a follow-up to the Director's SSCI testimony on Charter Legislation. He said Mr. Carlucci is to be accompanied by Inman, Tighe, Murphy, and FBI Director Webster. [ ] called attention to our differences with State re response to HFAC queries on Nicaragua. Mr. Carlucci said, despite protests from State re a paper he has prepared, at the request of Representative Zablocki, on the Nicaraguan situation, he will not retreat from dealing forthrightly on pertinent intelligence information already on the Hill via the NID. [ ] 25X1

[ ] reported a member of Senator Wallop's staff has drafted a Mini-Charter and has asked that Mr. Carlucci meet with Senator Wallop for review and comment. [ ] advised against such a meeting until OLC has had a chance to deal more directly with the matter. Mr. Carlucci agreed. [ ] 25X1

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Hart said he attended a conference of Federal management executives last week; he reported that attempts by conferees to deal productively with the merit pay issue were disastrous. Mr. Carlucci added he is aware this matter is drawing deep concern government-wide.

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Attachment

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ON PAGE A4THE WASHINGTON POST  
22 February 1980

# CIA Information Withheld From Hill, Turner Testifies

By George Lardner Jr.  
Washington Post Staff Writer

CIA Director Stansfield Turner said yesterday that the administration has been holding back more information from the Senate and House intelligence committees than its members previously suspected and that the White House intends to continue the practice.

Testifying before the Senate committee on a proposed legislative charter for the CIA, Turner assailed a provision that would require advance notice to Congress of all "significant" intelligence activities as "unnecessary, improper and unwise."

He also voiced strong opposition to more than half a dozen sections of the Senate proposal, including one that would entitle the two intelligence committees to whatever after-the-fact information they deem necessary for proper oversight of the U.S. intelligence community.

Sen. Birch Bayh (D-Ind.), the committee chairman, expressed surprise at the breadth of the administration's complaints.

Sen. Walter D. Huddleston (D-Ky.), who has spent several years in an effort to reach agreement with the CIA and the White House, said he feared that their bluntly stated position could jeopardize the measure.

Several committee members said they had been under the impression that the administration has been notifying them in advance of all covert actions and other significant undertakings—with one exception—since President Carter took office.

"That is not correct," Turner told them. He did not elaborate, saying that, "We are on the dangerous

ground of a public forum." But he indicated that information had been withheld more than once, in cases where he and the president felt that advance notice to the intelligence committees might jeopardize the lives of the agent or agents involved.

Under questioning by Sen. Adlai E. Stevenson (D-Ill.), the CIA director acknowledged that he had testified at his confirmation hearing in 1977 that he expected "no difficulty" in complying with an advance-notice requirement embodied in Senate Resolution 400, which created the Senate panel.

But the resolution does not have the force of law, and Turner insisted that he had never "endorsed" it. He told Stevenson that he had said only that he would have no difficulty "in trying to comply with it," and not that he had promised to do so.

Turner maintained that Carter is still strongly committed to enactment of a legislative charter for the CIA and the rest of the U.S. intelligence community, but Turner followed up with what amounted to a gloomy assessment of its prospects.

"This is, as we all know, a short legislative year," he told the senators, "and there is some question as to whether both houses of the Congress will be able to take up and pass the charter even if all the outstanding differences between this committee and the administration can be settled quickly."

Offering one concession after another, Huddleston said he thought that most of the disagreements could be resolved. For example, he said he thought there would be no problem in cutting back the Freedom of Information Act even further than the

Senate committee has been planning.

The CIA has been seeking a virtual blanket exemption from the Freedom of Information Act for its operational and technical files, but Turner said the administration wants similar "relief" for the National Security Agency, the FBI "and other intelligence agency components."

"An area of even more serious concern," he added, is a provision in the Senate proposal that would make unauthorized disclosure of the names of CIA operatives a crime only for people, such as former CIA officers, who have authorized access to such information. The CIA wants criminal penalties also made applicable to outsiders, such as journalists.

Huddleston said he hoped some accommodation could be reached in this area, too. But he said he thought the issues of prior notice and guaranteed access to intelligence agency information "crucial" to proper congressional supervision.

Turner indicated that the White House does not intend to relent on either point. "I believe the president feels very firmly about these two issues," he told the committee.

Huddleston pointedly noted that CIA Deputy Director Frank Carlucci, in testimony Wednesday before a House subcommittee, had argued that the CIA should not be held to the full rigors of the Freedom of Information Act, since it was already supplying the two congressional intelligence committees "with whatever information they need" to guard against abuses.

"Do you disagree with that?" Huddleston asked the CIA director.

"No," Turner replied.

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"But that [the information to be supplied] would be determined by you and the agency, not by Congress?" Huddleston pressed.

Turner did not reply directly, saying only that he thought that the administration's past practice of sharing information with the two intelligence committees—without being required to do so by law—was satisfactory.

He submitted an administration amendment that would require the intelligence agencies to keep the House and Senate intelligence committees "fully and currently informed" about their activities—but not about their "sources and methods." The committees would be told of "significant" clandestine operations "in a timely fashion," but not necessarily in advance.



**STANSFIELD TURNER**  
... gloomy assessment of charter